

FILED

AUG 26 2020

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY SC DEP CLK

NO. 7:20-mj-1199-RJ

IN THE MATTER OF THE APPLICATION  
OF THE UNITED STATES OF AMERICA  
FOR AN ORDER DIRECTING  
ASSISTANCE IN THE INSTALLATION  
AND USE OF A STATIONARY CAMERA  
IN THE VICINITY OF POSTAL ANNEX  
LOCATED AT 2075 N MARINE BLVD,  
JACKSONVILLE, NC 28546

APPLICATION

**APPLICATION FOR AN ORDER DIRECTING ASSISTANCE IN THE  
INSTALLATION AND USE OF A STATIONARY CAMERA IN THE  
VICINITY OF POSTAL ANNEX LOCATED AT 2075 N MARINE BLVD,  
JACKSONVILLE, NC 28546**

Barbara Kocher ("applicant"), an Assistant United States Attorney of the United States Department of Justice, hereby applies to the court for an order, pursuant to 28 U.S.C. §1651, the All Writs Act, directing Duke Energy Progress to assist the United States government in the installation and use of a concealed stationary camera and a cellular air technology receiver in the vicinity of POSTAL ANNEX LOCATED AT 2075 N MARINE BLVD, JACKSONVILLE, NC 28546, and states in support as follows:

1. Applicant is an attorney for the Government as defined in Rule 1(b) of the Federal Rules of Criminal Procedure.
2. The Federal Bureau of Investigation ("FBI") and Naval Criminal Investigative Service ("NCIS") are conducting a criminal investigation of an illicit firearms trafficking organization in the vicinity of the POSTAL ANNEX LOCATED AT 2075 N MARINE BLVD, JACKSONVILLE, NC 28546, in connection with potential violations of Title 18, United States

Code, Section 922(a)(1)(A) (Unlawful Acts).

3. Based on information obtained from electronic communications, source debriefs, and controlled purchases, investigators began targeting an illicit firearms trafficking organization ("FTO") operating in Onslow County, North Carolina and elsewhere. The investigation has revealed that the FTO is utilizing the listed target area as a meeting point for members of the FTO and is suspected to use the target area to facilitate the illegal shipment and transfer of firearms.

4. The FBI and NCIS seek to install a stationary camera and the cellular air technology receiver located near the area of POSTAL ANNEX LOCATED AT 2075 N MARINE BLVD, JACKSONVILLE, NC 28546, owned by Duke Energy Progress. The cellular air technology receiver will receive video transmissions from the camera and transmit them to a law enforcement monitoring station. No audio data will be collected or transmitted. It is anticipated that this visual surveillance will enable the investigators to identify individuals and vehicles involved in the trafficking of illegal firearms at this location. The information likely to be obtained from the camera is thus relevant to the ongoing criminal investigation.

5. Applicant requests that the Court issue an order directing that the owner of the utility poles, Duke Energy Progress, to furnish information, facilities, and technical assistance necessary to unobtrusively accomplish the installation and operation of the pole camera and the cellular air technology receiver. Duke Energy Progress shall be compensated by the FBI for reasonable expenses incurred in complying with the order.

6. Applicant further requests that the Application and Order be sealed until otherwise ordered by the court and that the Order direct Duke Energy Progress and its agents and employees not to disclose to any person the existence of the Application, attached Order, or of the investigation, other than those agents and employees of Duke Energy Progress who require said

information to accomplish the services herein requested.

I declare under penalty of perjury that the foregoing is true and correct upon information and belief.

Executed this 20<sup>th</sup> day of August, 2020.

ROBERT J. HIGDON, JR.  
United States Attorney

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